



IFW

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q93191

Hideyuki SHIMONISHI, et al.

Appln. No.: 10/568,440

Group Art Unit: Not Yet Assigned

Confirmation No.: Not Yet Assigned

Examiner: Not Yet Assigned

Filed: February 14, 2006

For: SESSION RELAY APPARATUS AND RELAYING METHOD

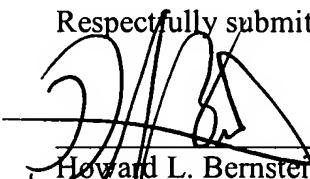
**SUBMISSION OF INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

For the Examiner's convenience, enclosed herewith is a copy of the English translation of the International Preliminary Report on Patentability (IPRP). It is assumed that copies of the cited references as required by §371(c) will be supplied directly by the International Bureau, but if further copies are needed, the undersigned will undertake to provide them upon request.

Respectfully submitted,

  
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WASHINGTON OFFICE  
**23373**  
CUSTOMER NUMBER

Date: September 12, 2006

From the INTERNATIONAL BUREAU

**PCT**

NOTIFICATION OF TRANSMITTAL  
 OF COPIES OF TRANSLATION  
 OF THE INTERNATIONAL PRELIMINARY REPORT  
 ON PATENTABILITY  
 (CHAPTER I OR CHAPTER II)  
 OF THE PATENT COOPERATION TREATY)  
 (PCT Rules 44bis.3(c) and 72.2)

Date of mailing (day/month/year)  
 18 May 2006 (18.05.2006)

To:

MIYAZAKI, Teruo  
 8th Floor, 16th Kowa Bldg., 9-20, Akasaka 1-chome,  
 Minato-ku, Tokyo  
 1070052  
 JAPON

*MAY 26, 2006*

Applicant's or agent's file reference  
 NEC04P118

**IMPORTANT NOTIFICATION**

International application No.  
 PCT/JP2004/010604

International filing date (day/month/year)  
 26 July 2004 (26.07.2004)

Applicant

NEC CORPORATION et al

**1. Transmittal of the translation to the applicant.**

The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

**2. Transmittal of the copy of the translation to the designated or elected Offices.**

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

None

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EA, EC, EE, EG, EP, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

**3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).**

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

**It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.**

The International Bureau of WIPO  
 34, chemin des Colombettes  
 1211 Geneva 20, Switzerland

Authorized officer

Yoshiko Kuwahara

Facsimile No.+41 22 740 14 35

Facsimile No.+41 22 338 90 90

# PATENT COOPERATION TREATY

# PCT

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference <b>NEC04P118</b>	<b>FOR FURTHER ACTION</b>		See item 4 below
International application No. <b>PCT/JP2004/010604</b>	International filing date ( <i>day/month/year</i> ) <b>26 July 2004 (26.07.2004)</b>	Priority date ( <i>day/month/year</i> ) <b>20 August 2003 (20.08.2003)</b>	
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237			
Applicant <b>NEC CORPORATION</b>			

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).

2. This REPORT consists of a total of 4 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

- |                                     |   |
|-------------------------------------|---|
| <input checked="" type="checkbox"/> | Box No. I Basis of the report   |
| <input type="checkbox"/>            | Box No. II Priority   |
| <input type="checkbox"/>            | Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability  |
| <input type="checkbox"/>            | Box No. IV Lack of unity of invention   |
| <input checked="" type="checkbox"/> | Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/>            | Box No. VI Certain documents cited  |
| <input type="checkbox"/>            | Box No. VII Certain defects in the international application  |
| <input type="checkbox"/>            | Box No. VIII Certain observations on the international application  |

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

		Date of issuance of this report <b>08 May 2006 (08.05.2006)</b>
The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 740 14 35	Authorized officer <b>Yoshiko Kuwahara</b> Telephone No. +41 22 338 90 90	

**PATENT COOPERATION TREATY**

From the  
INTERNATIONAL SEARCHING AUTHORITY

To:

**PCT**

**TRANSLATION**

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

(PCT Rule 43bis.1)

		Date of mailing (day/month/year)
Applicant's or agent's file reference <b>NEC04P118</b>		<b>FOR FURTHER ACTION</b> See paragraph 2 below
International application No. <b>PCT/JP2004/010604</b>	International filing date (day/month/year) <b>26.07.2004</b>	Priority date (day/month/year) <b>20.08.2003</b>
International Patent Classification (IPC) or both national classification and IPC		
Applicant <b>NEC CORPORATION</b>		

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability: citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/JP	Authorized officer
Facsimile No.	Telephone No.

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.  
PCT/JP2004/010604

Box No. I	Basis of this opinion
1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.	
<input type="checkbox"/> This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).	
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:	
a. type of material	
<input type="checkbox"/> a sequence listing	
<input type="checkbox"/> table(s) related to the sequence listing	
b. format of material	
<input type="checkbox"/> in written format	
<input type="checkbox"/> in computer readable form	
c. time of filing/furnishing	
<input type="checkbox"/> contained in the international application as filed.	
<input type="checkbox"/> filed together with the international application in computer readable form.	
<input type="checkbox"/> furnished subsequently to this Authority for the purposes of search.	
3. <input type="checkbox"/> In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.	
4. Additional comments:	

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/JP2004/010604

Box No. V <b>Reasoned statement under Rule 43bis I(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</b>																									
<p><b>1. Statement</b></p> <table border="0"> <tr> <td align="center">Novelty (N)</td> <td align="center">Claims</td> <td align="center"><u>1, 2, 6-17, 20, 21, 25-36</u></td> <td align="center">YES</td> </tr> <tr> <td></td> <td align="center">Claims</td> <td align="center"><u>3-5, 18, 19, 22-24, 37, 38</u></td> <td align="center">NO</td> </tr> <tr> <td align="center">Inventive step (IS)</td> <td align="center">Claims</td> <td align="center"><u>1, 2, 9-17, 20, 21, 28-36</u></td> <td align="center">YES</td> </tr> <tr> <td></td> <td align="center">Claims</td> <td align="center"><u>3-8, 18, 19, 22-27, 37, 38</u></td> <td align="center">NO</td> </tr> <tr> <td align="center">Industrial applicability (IA)</td> <td align="center">Claims</td> <td align="center"><u>1-38</u></td> <td align="center">YES</td> </tr> <tr> <td></td> <td align="center">Claims</td> <td align="center"></td> <td align="center">NO</td> </tr> </table>		Novelty (N)	Claims	<u>1, 2, 6-17, 20, 21, 25-36</u>	YES		Claims	<u>3-5, 18, 19, 22-24, 37, 38</u>	NO	Inventive step (IS)	Claims	<u>1, 2, 9-17, 20, 21, 28-36</u>	YES		Claims	<u>3-8, 18, 19, 22-27, 37, 38</u>	NO	Industrial applicability (IA)	Claims	<u>1-38</u>	YES		Claims		NO
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	Claims	<u>3-5, 18, 19, 22-24, 37, 38</u>	NO																						
Inventive step (IS)	Claims	<u>1, 2, 9-17, 20, 21, 28-36</u>	YES																						
	Claims	<u>3-8, 18, 19, 22-27, 37, 38</u>	NO																						
Industrial applicability (IA)	Claims	<u>1-38</u>	YES																						
	Claims		NO																						
<p><b>2. Citations and explanations:</b></p> <p>Document 1: JP, 10-233802, A (Lucent Technologies Inc.), 2 September, 1998 (02.09.98)      Document 2: JP, 2000-49787, A (Hitachi, Ltd.), 18 February, 2000 (18.02.00)      Document 3: JP, 2002-344500, A (NEC Corporation), 29 November, 2002 (29.11.02)</p> <p>The subject matters of claims 3-5, 18, 19, 22-24, 37, and 38 do not appear to be novel or to involve an inventive step in view of document 1.      Paragraphs [0023]-[0030] and Fig. 2 of document 1 disclose that, in the session relay apparatus, each session has a cue, and packets are scheduled in a band that is set individually for each session.</p> <p>The subject matters of claims 6, 7, 25, and 26 do not appear to involve an inventive step in view of document 1 and document 2.      Paragraph [0032] of document 2 discloses that the excess band after a band distribution is distributed to other connections. The idea of applying the technique disclosed in document 2 to the relay apparatus disclosed in document 1 would have been easily conceived by a person skilled in the art.</p> <p>The subject matters of claims 8 and 27 do not appear to involve an inventive step in view of document 1 and document 3.      Document 3 discloses that assignment of bands is changed based on an excess band in the scheduler output. The idea of applying the technique disclosed in document 3 to the relay apparatus disclosed in document 1 would have been easily conceived by a person skilled in the art.</p> <p>The subject matters of claims 1, 2, 9-17, 20, 21, 28-36 are neither disclosed in any of the documents cited in the ISR nor obvious to a person skilled in the art.</p>																									